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In re Application of  
HURTA, Wenzel Franz et al.  
Application No.: 09/424,440  
PCT No.: PCT/US98/10864  
Int. Filing Date: 28 May 1998  
Priority Date: 06 June 1997  
Attorney Docket No.: CRD0461  
For: GLASS CORE GUIDEWIRE COMPATIBLE  
WITH MAGNETIC RESONANCE HAVING  
REINFORCING FIBERS

DECISION ON  
PETITION  
UNDER 37 CFR 1.47(a)

This decision is in response to applicants' "Renewed Petition Under 37 CFR 1.47(a)," filed with the United States Patent and Trademark Office on 29 May 2003.

**BACKGROUND**

On 28 May 1998, applicants filed international application PCT/US98/10864. A demand for international preliminary examination was timely filed on 28 December 1998. The deadline for entry into the national stage in the United States was thirty months from the priority date, 06 December 1999.

On 23 November 1999, applicants filed a transmittal letter for entry into the national stage in the United States accompanied by, *inter alia*, the basic national fee.

On 19 January 2000, the Office mailed both a Notification of Missing Requirements (Form PCT/DO/EO/905) indicating, *inter alia*, that an oath or declaration in compliance with 37 CFR 1.497(a)-(b) was required and a Notification of a Defective Oath or Declaration (Form PCT/DO/EO/917).

On 28 February 2000, applicants submitted a Petition Under 37 CFR 1.47(a).

On 11 May 2000, the Office mailed Decision On Petition Under 27 CFR 1.47(a), dismissing applicants' petition without prejudice.

On 04 March 2003, applicants submitted the instant petition under 37 CFR 1.181 and a renewed petition under 37 CFR 1.47(a).

**DISCUSSION**

A petition under 37 CFR 1.47 must be accompanied by: (1) the fee under 37 CFR 1.17(h), (2) proof of pertinent facts, namely that the inventor refuses to sign or cannot be reached after diligent effort, (3) a statement of the last known address of the inventor, and (4) an oath or declaration by the 37 CFR 1.47(a) applicant on behalf of himself or herself and the non-signing applicant.

Items (1), (3) and (4) were previously satisfied.

Item (2) has now been satisfied. Mr. de Tiege's statement and the letter of Mr. Nap are sufficient.

**CONCLUSION**

The Petition Under 37 CFR 1.47(a) is **GRANTED**.

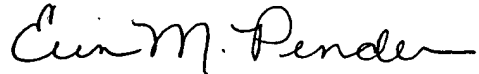
As provided in 37 CFR 1.47(a), a notice of the filing of this application will be forwarded to the non-signing inventor at his last known address of record.

A notice of the filing of the application under 37 CFR 1.47(a) will be published in the Official Gazette.

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations to continue national stage processing of the application, including accordation of a 35 U.S.C. 371 date of **23 November 1999**.



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